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EOLAS TECHNOLOGIES
INCORPORATED; and THE REGENTS OF
THE UNIVERSITY OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOOGLE INC.,

Plaintiff,

v.

EOLAS TECHNOLOGIES, INC.; and
THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA,

Defendants.

Case No. 13-CV-05997-JST

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR
GOOGLE INC. TO RESPOND TO
DEFENDANTS' SECOND MOTION TO
DISMISS AND TO DEFENDANTS'
COUNTERCLAIMS, AND CONTINUING
THE INITIAL CASE MANAGEMENT
CONFERENCE**

1 Pursuant to Civil Local Rules 6-2, 16-2, and 7-12, Plaintiff Google Inc. (“Google”) and
2 Defendants Eolas Technologies Incorporated and The Regents of the University of California
3 (collectively, “Defendants”) hereby stipulate through their respective counsel of record as
4 follows:

5 WHEREAS, on January 2, 2014 and January 3, 2014, Google served its complaint upon
6 Defendants;

7 WHEREAS, on January 10, 2014, the Court set an Initial Case Management Conference
8 for April 9, 2014;

9 WHEREAS, on January 22, 2014, at the request of Defendants, the parties agreed to
10 mutual 14 day extensions for Defendants to respond to Google’s complaint and for Google to
11 respond to Defendants’ pleadings or response to Google’s complaint to which a response is
12 allowed;

13 WHEREAS, on January 24, 2014, the parties filed a stipulation to extend the deadline for
14 Defendants to answer or otherwise respond to Google’s complaint to February 7, 2014;

15 WHEREAS, on January 24, 2014, this Court granted the parties’ January 24, 2014
16 stipulation;

17 WHEREAS, on February 7, 2014, Defendants filed a motion to dismiss for lack of
18 jurisdiction in response to Google’s complaint;

19 WHEREAS, on February 17, 2014, the parties filed a stipulation to extend the deadline for
20 Google to respond to Defendants’ motion to dismiss for lack of jurisdiction until March 7, 2014,
21 to extend the deadline for Defendants to reply to Google’s opposition until March 14, 2014, and
22 to extend the hearing for Defendants’ motion to dismiss for lack of jurisdiction until April 3,
23 2014;

24 WHEREAS, on February 19, 2014, this Court granted the parties’ February 17, 2014
25 stipulation;

26 WHEREAS, on March 13, 2014, the parties filed a stipulation to extend the deadline for
27 Defendants to reply to Google’s opposition to Defendants’ motion to dismiss for lack of
28 jurisdiction until March 17, 2014;

1 WHEREAS, on March 13, 2014, this Court granted the parties' March 13, 2014
2 stipulation;

3 WHEREAS, on March 25, 2014, the parties filed a stipulation to continue the Initial Case
4 Management Conference to allow for the Court to rule on Defendants' motion to dismiss for lack
5 of jurisdiction;

6 WHEREAS, on March 28, 2014, this Court granted the parties' March 25, 2014
7 stipulation;

8 WHEREAS, on April 18, 2014, the Court continued the Initial Case Management
9 Conference until August 20, 2014;

10 WHEREAS, on July 8, 2014, Defendants' filed their answer and counterclaims to Google
11 Inc.'s complaint, and filed a motion to dismiss counterclaims;

12 WHEREAS, Google Inc.'s response to Defendants' motion to dismiss is currently due
13 July 22, 2014;

14 WHEREAS, Defendants' reply to Google's response to Defendants' motion to dismiss is
15 currently due July 29, 2014;

16 WHEREAS, Google Inc.'s response to Defendants' counterclaims is currently due
17 August 1, 2014;

18 NOW THEREFORE the parties through their undersigned counsel hereby stipulate and
19 request that the Court grant, pursuant to Civil L.R. 6-2 that:

- 20 • The time to file Google's opposition to Defendants' motion to dismiss be extended
21 until August 19, 2014;
- 22 • The time to file the Defendants' reply to Google's opposition be extended until
23 September 9, 2014;
- 24 • The hearing for the Defendant's motion to dismiss be noticed for October 9, 2014,
25 or as soon thereafter at the Court's convenience;
- 26 • The time for Google to respond to Defendants' counterclaims be extended until
27 October 24, 2014; and
28

- 1 • The Initial Case Management Conference in this action be continued to
2 Wednesday, December 10, 2014 at 2:00 p.m., or as soon thereafter at the Court's
3 convenience.

4 IT IS SO STIPULATED.

5 Dated: July 17, 2014

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

7 By: /s/ Jonathan K. Waldrop
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Attorneys for Plaintiff
GOOGLE INC., INC.

14 McKool Smith Hennigan, P.C.

15 Dated: July 17, 2014

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Attorneys for Defendants
EOLAS TECHNOLOGIES INCORPORATED;
and THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA

24 I hereby attest pursuant to L.R. 5.1(i)(3) that concurrence in the electronic filing of this
25 document has been obtained from the other signatories.

26 Dated: July 17, 2014

27 /s/ Jonathan K. Waldrop
Jonathan K. Waldrop

~~PROPOSED~~ ORDER

The Court having considered the stipulation of the parties, orders as follows:

- The time to file Google's opposition to Defendants' motion to dismiss is extended until August 19, 2014;
- The time to file the Defendants' reply to Google's opposition is extended until September 9, 2014;
- The hearing for the Defendant's motion to dismiss is noticed for October 9, 2014, or as soon thereafter at the Court's convenience; and
- The time for Google to respond to Defendants' counterclaims is extended until October 24, 2014;
- The Initial Case Management Conference in this action is continued to Wednesday, December 10, 2014 at 2:00 p.m.
- The parties shall file a Joint Case Management Statement on or before Wednesday, December 3, 2014.

PURSUANT TO THE PARTIES' STIPULATION IT IS SO ORDERED.

Dated: July 21, 2014

